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U.S. DISTRICT COURT
MIDDLE DIST. OF GEORGIA
MACON GEORGIA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

SALIM HAJIANI, *

Plaintiff,

CIVIL ACTION NO:

Vs. *

5:17: CV: 73

LKQ,

Defendants. *

FIRST AMENDED COMPLAINT

COMPLAINT AND JURY DEMAND:

Plaintiff Salim Hajiani, hereby complaints against defendant LKQ for the depravation and conspiracy to deprive Plaintiff of his federally protected rights as hereafter alleged, and for intentional infliction of emotional distress.

JURISDICTION:

1. This is an action under the laws of the united states of America, in particular title VII of the civil rights act of 1964, as amended, 42 U.S.C. 0 2000E-16, and the civil rights act of 1991,42 U.S.C.0 1981a.

2. The jurisdiction of this court is invoked pursuant to the provisions of title VII 42 U.S.C. 00 2000e-5 and 2000e-16©, and the general civil rights jurisdiction

provisions of 28 U.S.C. 0 1343 (a) (4).

3. Claims are also stated under the common law of the state of Georgia against the defendants.

4. Venue is appropriate in this judicial district under 28 U.S.C. 1391 (b), because a substantial part of the events giving rise to this complaint occurred here.

THE PARTIES:

1. Plaintiff Salim Hajiani, is a resident of the state of Georgia.

2. Defendant LKQ is a corporation and regularly does business in Butts County, Georgia.

FACTS:

Plaintiff applied for a job at LKQ Corporation, located in Butts County, Georgia. Defendants refused to hire Plaintiff at this location. At all relevant times defendants employed an excess of fifteen employees and was further engaged in an industry directly affecting interstate commerce.

Defendant is liable for the acts and omissions of its employees pursuant to the principals of ratification, respondent superior and actual and/or implied agency. Defendants refused to hire Plaintiff because of his national origin.

As a result of the unlawful and discriminatory conduct and employment practices of the defendants and violation of Plaintiff's rights protected by Federal law, Plaintiff was not hired for employment.

CAUSES OF ACTION:

I.

Defendant's violation of title VII prohibition against employment discrimination- national origin

1. Plaintiff incorporates herein by reference the allegation set forth in the preceding paragraph of the complaint as though set forth at length herein.

2. This claim is authorized and instituted pursuant to the provisions of title VII of the Civil rights act of 1964, as amended, 42 U.S.C. Section 1981 A, for relief based upon the unlawful employment practices of the defendant.

3. When Plaintiff applied for a job he was a member of a class protected under title VII against national origin discrimination by his employer defendant LKQ Corporation.

4. Everyone who applied for a job was considered for employment besides Plaintiff.

5. Defendant further denied Plaintiff equal employment opportunity because of his national origin.

6. As a result of defendant's employment practices, policies, and procedure, Plaintiff was unjustly and discriminatorily deprived of equal employment

opportunity because of his national origin.

II.

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

1. Plaintiff incorporates by reference the allegation set forth in the preceding paragraph of the complaint as though set forth at length herein.

2. Plaintiff was subjected to a pattern of discrimination and misconduct, in whole or in part because of his national origin.

3. As a direct and proximate result of the above-named defendant's extreme and outrageous conduct, Plaintiff suffered severe emotional distress.

PRAYER:

WHEREFORE, Plaintiff requests the following relief:

Judgment against defendants for compensatory damages, punitive damages, for cost of suit, and attorney fees, nominal damages, and such other and further relief as the court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff demands a trial by jury on each of the counts.

Respectfully Submitted,

4/18/17

(Salim Hajiani)